

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARTIN XAVIER MORA,
Plaintiff,
v.
C. CHESTNUT, et al.,
Defendants.

Case No.: 2:24-cv-01071-RFB-MDC

ORDER

9 On June 7, 2024, pro se plaintiff Martin Xavier Moran, an inmate housed at Nevada
10 Southern Detention Center (“NSDC”), submitted a complaint under 42 U.S.C. § 1983 and
11 applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). The application to proceed *in*
12 *forma pauperis* is incomplete because Plaintiff failed to include a financial certificate and
13 an inmate trust fund account statement for the previous six-month period with it. Even if
14 Plaintiff has not been at NSDC for a full six-month period, he must still submit a financial
15 certificate and an inmate account statement for the dates that he has been at the facility.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status does not relieve an

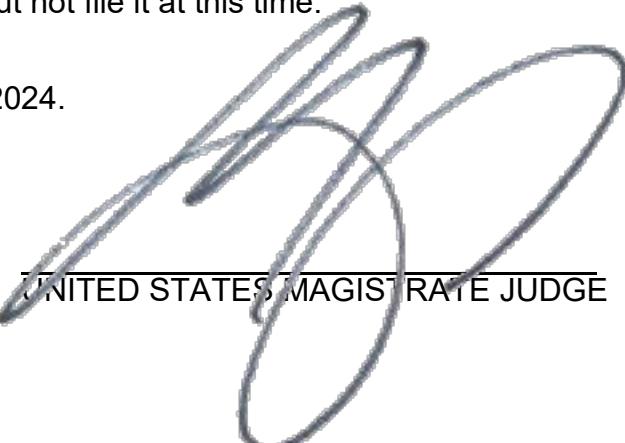
1 inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay
2 the fee in installments. See 28 U.S.C. § 1915(b).

3 It is therefore ordered that Plaintiff has **until Friday, August 16, 2024** to either pay
4 the full \$405 filing fee or file with the Court (1) a completed financial certificate that is
5 signed both by the inmate and the prison or jail official, and (2) a copy of the inmate's
6 trust fund account statement for the previous six-month period.

7 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
8 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
9 to refile the case with the Court, under a new case number, when Plaintiff can file a
10 complete application to proceed *in forma pauperis* or pay the required filing fee.

11 The Clerk of the Court is directed to send Plaintiff Martin Mora the approved form
12 application to proceed *in forma pauperis* for an inmate and instructions for the same, and
13 to retain the complaint (ECF No. 1-1) but not file it at this time.

14 DATED THIS 17th day of June 2024.
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17 UNITED STATES MAGISTRATE JUDGE
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